

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Case No.: 2:22-cr-00074-APG-DJA

Plaintiff

Order Granting, in part, Defendant's Motion to Seal

V.

[ECF No. 83]

MARTEL RIVERA, JR.,

Defendant

Defendant Martel Rivera moves to seal his sentencing memorandum and exhibit A to it.

10 ECF No. 83. I grant the motion in part because only portions of the memorandum should be
11 sealed. Specifically, Rivera should redact only those portions that mention truly contain highly
12 sensitive information.

13 Generally, the public has a right to inspect and copy judicial records. *Kamakana v. City*
14 *and Cnty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006). Such records are presumptively
15 publicly accessible. *Id.* In the case of dispositive motions, the party seeking to seal the record
16 “must articulate compelling reasons supported by specific factual findings that outweigh the
17 general history of access and the public policies favoring disclosure, such as the public interest in
18 understanding the judicial process.” *Id.* at 1178-79 (simplified). The material Rivera seeks to
19 keep private is sensitive information.

20 Rivera filed his entire memorandum under seal. However, only a few pages in the
21 memorandum contain sensitive information. Only those portions of the memorandum that
22 contain specific reference to that information may be sealed. The remainder of the motion must
23 be filed as publicly-accessible documents.

1 I will allow the memorandum (ECF No. 84) to remain sealed. Rivera will file an
2 unsealed (publicly available) version of the motion to dismiss, redacting the sensitive
3 information.

4 I THEREFORE ORDER that Rivera's motion to seal (**ECF No. 83**) is granted in part.
5 Rivera's memorandum (**ECF No. 84**) shall remain sealed.

6 I FURTHER ORDER Rivera to file a publicly available version of the memorandum,
7 redacting the sensitive information.

8 DATED this 2nd day of May, 2024.

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11 ANDREW P. GORDON
12 UNITED STATES DISTRICT JUDGE
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